

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LORENZO ANTHONY,

Plaintiff(s),

CASE NUMBER: 07-10467

HONORABLE VICTORIA A. ROBERTS

v.

WEIDMAN, MEYHOFER, et al.,

Defendant(s).

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ORDER

On January 4, 2008, Magistrate Judge Charles E. Binder submitted a Report and Recommendation ("R&R") [**Doc. 57**] recommending that this case be reassigned to the Honorable Marianne O. Battani as a companion to *Anthony v Walker*, Case No. 07-10351, pursuant to E.D. Mich. L.R. 83.11(b)(7)(C), and that the Order of Reference for General Case Management [**Doc. 42**] be vacated. Neither party filed objections as allowed under 28 U.S.C. § 636(b)(1) and E.D. Mich.LR72.1(d)(3). But, the Court declines to adopt the Magistrate Judge's Report and Recommendation, because L.R. 83.11(b)(7)(C), rather than an R&R, is the appropriate vehicle for reassignment of companion cases.

L.R. 83.11(b)(7)(C) provides that "[w]hen it becomes apparent to the Judge to whom a case is assigned and to a Judge having an earlier case number that two cases are companion cases, upon consent of the Judge having the earlier case number, the Judge shall sign an order reassigning the case to the Judge having the earlier case number." Because the Court agrees that this case is a companion to *Anthony v Walker*, Case No. 07-10351, and Judge Battani consents to reassignment, the Court will enter an

Order of reassignment.

IT IS ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: February 29, 2008

The undersigned certifies that a copy of this document was served on the attorneys of record and pro se plaintiff by electronic means or U.S. Mail on February 29, 2008.

s/Carol A. Pinegar

Deputy Clerk